

Creating a will: things for you and your family to think about



When you're young, it may not seem necessary to have a will – after all, it's hopefully something you won't need for many years.

However, thinking and talking to family about a will can help prevent disagreements down the track. It can also mean that your stuff can end up being given to someone you've chosen and you can make sure people you love are taken care of, with instructions from you.

As an Indigenous person, there may be some culturally-sensitive things you wish to include in a will, including plans for [how knowledge is passed down](#).

1. PASSING ON YOUR STUFF



Anyone over the age of 18 can make a will and it's an important thing to have. Even if you don't have much money or own a home, you may have a car, bank accounts, life insurance or property, such as family photos, special personal items, artwork or jewellery that you would like to pass on to certain people.

If you're working and have superannuation, that will also be considered under an estate plan. You can make what's called a 'binding nomination' directing your super fund to pay your superannuation to certain family members.

All you need to do to do this is fill out a form provided by your super fund.

If you are single and do not have dependents, your superannuation will be paid to your estate, so it's important that you have a valid Will which sets out who you would like to receive that money if you die.

2. CARING FOR CHILDREN

If you have children, making a Will is also an opportunity to choose who would look after them if you pass away.

If there is no guardian appointed then anyone with an appropriate relationship, such as a grandparent, aunt, uncle or sibling can apply for guardianship. In this instance, the Family Court will decide who the guardian will be, taking into consideration what is in the best interests of the children.

3. SOMEONE TO LOOK AFTER THINGS IF YOU CAN'T

In your estate plan, you can also choose to appoint a trusted person to make financial, legal, lifestyle and medical decisions on your behalf if you are unable to do so.

4. YOUR FUNERAL AND BURIAL PREFERENCES

You may have a preference for the type of funeral you would like and where you would like to be buried – for example with family members, on country or where you live now, which you can explain in your estate plan. Documenting this can help to take the stress off your loved ones and make sure your wishes are fulfilled.

Where else you can find information:

Equity Trustees also offers a range of [educational videos](#) on this topic.

The NSW Government has published a guide called [Wills for Aboriginal People](#)

The Aboriginal Legal Service has a [booklet](#) on for people who want to make a Will.